

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

BRIAN RATIGAN

Plaintiff,

Defendant.

**Case No. 2:97-CR-0066-WFN-1**

**CRIMINAL MINUTES**

**DATE: JUNE 24, 2020**

**LOCATION: SPOKANE**

**RESENTENCING HEARING**

|                                  |
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| <b>Hon. Wm. Fremming Nielsen</b> |
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|-------------------|-------------|------------------|
| Joanna L. Knutson | Heather Foe | Crystal L. Hicks |
|-------------------|-------------|------------------|

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| <b>Courtroom Deputy</b> | <b>Law Clerk</b> | <b>Court Reporter</b> |
|-------------------------|------------------|-----------------------|

|                      |                  |
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| Joseph H. Harrington | Robert M. Seines |
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|---------------------------|------------------------|
| <b>Government Counsel</b> | <b>Defense Counsel</b> |
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| <b>United States Probation Officer:</b> Sean E. Carter |
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Open Court

Chambers

Telecon

Defendant present in custody of United States Marshal with appointed counsel. Initial comments by Court advising he had reviewed all documents filed in preparation of the resentencing, including the Amended Presentence Investigation Report and the two Addendums, as numerous letters in support of the Defendant and Defendant's own Statements to the Court and to the Victims.

The Court noted the Government's four objections to the PSR are now moot due to the amended PSR prepared by Probation Officer Carter. Mr. Harrington agreed the Government's objections were moot. The Court ruled on Defendant's objections to the PSR. The Court confirmed with defense counsel that the Defendant had the opportunity to review the Amended PSR and further queried Defendant as to whether he had any objections other than that already discussed; Defendant indicated he did not. The Court accepted the Presentence Investigation Report.

Counsel addressed the Court with their respective recommendations for resolution of the matter. Defendant addressed the Court. The Court determined the applicable Guideline range. Sentence imposed as follows:

**Imprisonment:** Time Served as to Counts 1s, 6s, 8s, and 9s  
**Supervised Release:** 5 Years as to Count 8s and 3 Years as to Counts 1s, 6s, and 9s; all terms to run concurrent with one another. With mandatory, standard, and special conditions as follows:

- Full financial disclosure to Probation Officer as requested
- Do not incur any new debt, open lines of credit or enter into any financial contracts without advance Probation Officer approval
- Mental health evaluation and treatment/counseling, if recommended
- Search of person, vehicle and residence
- Substance abuse evaluation and treatment/counseling, if recommended
- Cooperate in the collection of DNA as directed by Probation Officer

**Fine:** Waived

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|---------------------|-----------------------|----------------|--------------------|
| CONVENED: 9:00 A.M. | ADJOURNED: 10:20 A.M. | TIME: 1:20 HR. | CALENDARED [ N/A ] |
|---------------------|-----------------------|----------------|--------------------|

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**Restitution:** **\$118,394.72 Total** (less any previous payments) Joint and several with Verne Jay Merrell, 2:96-CR-0257-WFN-1; Charles Harrison Barbee, 2:96-CR-0258-WFN-1; and Robert Sherman Berry, 2:96-CR-0259-WFN-1.

**Special Assessment:** **\$ 400.00**

Appeal rights given.